

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

**Case No. 3:23-md-3071**

**MDL No. 3071**

**Chief Judge Waverly D.  
Crenshaw, Jr.**

**JURY DEMAND**

**This Document Relates to:  
ALL CASES**

**JOINT NOTICE RE:  
MOTION TO DISMISS CLAIMS AGAINST DEFENDANT  
ROSE ASSOCIATES, INC.**

On July 6, 2023, certain parties, including Plaintiffs and Defendant Rose Associates, Inc. (“Rose”), moved the Court to enter a stipulation and order “deferring the issue of personal jurisdiction and venue for 180 days.” Dkt. 317 (“Deferral Motion”). On July 7, 2023, while the Court was still considering the Deferral Motion, Rose filed a Motion to Dismiss for Lack of Jurisdiction and Improper Venue. Dkt. 343 (“Rose MTD”). On July 10, 2023, the Court granted the Deferral Motion and entered an Order providing that “the issue of personal jurisdiction and venue shall be deferred, without waiver of any arguments or objections, for 180 days” as to the signing parties. Dkt. 353 (“July 10 Order”). The July 10 Order “does not affect—and is without prejudice to—the right, ability, and intention of any Defendant to file a motion to dismiss for lack of personal jurisdiction.” *Id.* at n.2. Subsequently, Plaintiffs and Rose conferred as to the effect of the July 10 Order on the Rose MTD.

Having conferred, Plaintiffs and Rose respectfully wish to inform the Court that both Parties agree the July 10 Order supercedes the Rose MTD, and that with respect to Rose, “the issue

of personal jurisdiction and venue shall be deferred, without waiver of any arguments or objections, for 180 days” from the entry of the July 10 Order.

Dated: July 24, 2023

/s/ Richard P. Sybert

Richard P. Sybert

Hannah E Brown

**GORDON REES SCULLY  
MANSUKHANI**

701 Fifth Avenue, Suite 2100

Seattle, WA 98104

Telephone: (206) 321-5222

rsybert@grsm.com

hbrown@grsm.com

*Counsel for Rose Associates, Inc.*

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld (#26014)

Anthony A. Orlandi (#33988)

**HERZFELD SUETHOLZ GASTEL LENISKI  
AND WALL, PLLC**

223 Rosa L. Parks Avenue, Suite 300

Nashville, TN 37203

Telephone: (615) 800-6225

tricia@hsglawgroup.com

tony@hsglawgroup.com

*Liaison Counsel*

Patrick J. Coughlin

Carmen A. Medici

Fatima Brizuela

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

600 West Broadway, Suite 3300

San Diego, CA 92101

Telephone: (619) 798-5325

Facsimile: (619) 233-0508

pcoughlin@scott-scott.com

cmedici@scott-scott.com

fbrizuela@scott-scott.com

Patrick McGahan

Amanda F. Lawrence

Michael Srodoski

G. Dustin Foster

Isabella DeLisi

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

156 South Main Street

P.O. Box 192

Colchester, CT 06145

Telephone: (860) 537-5537

Facsimile: (860) 537-4432

pmcgahan@scott-scott.com

alawrence@scott-scott.com

msrodoski@scott-scott.com  
gfoster@scott-scott.com  
idelisi@scott-scott.com

Stacey Slaughter  
Thomas J. Undlin  
Geoffrey H. Kozen  
Stephanie A. Chen  
J. Austin Hurt

**ROBINS KAPLAN LLP**  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402  
Telephone: (612) 349-8500  
Facsimile: (612) 339-4181  
sslaughter@robinskaplan.com  
tundlin@robinskaplan.com  
gkozen@robinskaplan.com  
schen@robinskaplan.com  
jhurt@robinskaplan.com

Swathi Bojedla  
Mandy Boltax  
**HAUSFELD LLP**  
888 16<sup>th</sup> Street, N.W., Suite 300  
Washington, DC 20006  
Telephone: (202) 540-7200  
sbojedla@hausfeld.com  
mboltax@hausfeld.com

Gary I. Smith, Jr.  
**HAUSFELD LLP**  
600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
Tel: (415) 633-1908  
gsmith@hausfeld.com

Katie R. Beran  
**HAUSFELD LLP**  
325 Chestnut Street, Suite 900  
Philadelphia, PA 19106  
Telephone: 1 215 985 3270  
kberan@hausfeld.com

*Interim Co-Lead Counsel*

Eric L. Cramer  
Michaela L. Wallin  
**BERGER MONTAGUE PC**  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Telephone: (215) 875-3000  
ecramer@bm.net  
mwallin@bm.net

Daniel J. Walker  
**BERGER MONTAGUE PC**  
2001 Pennsylvania Avenue, NW, Suite 300  
Washington, DC 20006  
Telephone: (202) 559-9745  
dwalker@bm.net

Brendan P. Glackin  
Dean M. Harvey  
**LIEFF CABRASER HEIMANN & BERNSTEIN,  
LLP**  
275 Battery Street, Suite 2900  
San Francisco, CA 94111  
Telephone: 415-956-1000  
bglackin@lchb.com  
dharvey@lchb.com

Mark P. Chalos  
Hannah R. Lazarz  
Kenneth S. Byrd  
**LIEFF CABRASER HEIMANN & BERNSTEIN,  
LLP**  
222 2nd Avenue South, Ste. 1640  
Nashville, TN 37201  
(615) 313-9000  
mchalos@lchb.com  
hlazarz@lchb.com  
kbyrd@lchb.com

Steve W. Berman  
Breanna Van Engelen  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
1301 Second Avenue, Suite 2000  
Seattle, Washington 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com

breannav@hbsslaw.com

Benjamin J. Widlanski

Javier A. Lopez

**KOZYAK TROPIN & THROCKMORTON LLP**

2525 Ponce de Leon Blvd., 9th Floor

Coral Gables, Florida 33134

Telephone: (305) 372-1800

bwidlanski@kttlaw.com

jal@kttlaw.com

Christian P. Levis

Vincent Briganti

Peter Demato

Radhika Gupta

**LOWEY DANNENBERG, P.C.**

44 South Broadway, Suite 1100

White Plains, NY 10601

Telephone: (914) 997-0500

Facsimile: (914) 997-0035

clevis@lowey.com

vbriganti@lowey.com

pdemato@lowey.com

rgupta@lowey.com

Christopher M. Burke

Walter W. Noss

Yifan (Kate) Lv

**KOREIN TILLERY P.C.**

707 Broadway, Suite 1410

San Diego, CA 92101

Telephone: (619) 625-5621

Facsimile (314) 241-3525

cburke@koreintillery.com

wnoss@koreintillery.com

klv@koreintillery.com

**JOSEPH SAVERI LAW FIRM, LLP**

Joseph R. Saveri

Steven N. Williams

Cadio Zirpoli

Kevin E. Rayhill

601 California Street, Suite 1000

San Francisco, CA 94108

Telephone: (415) 500-6800

jsaveri@saverilawfirm.com

swilliams@saverilawfirm.com  
czirpoli@saverilawfirm.com  
krayhill@saverilawfirm.com

Jennifer W. Sprengel

Daniel O. Herrera

Alexander Sweatman

**CAFFERTY CLOBES MERIWETHER &  
SPRENGEL LLP**

135 S. LaSalle, Suite 3210

Chicago, IL 60603

Telephone: 312-782-4880

Facsimile: 312-782-4485

jsprengel@caffertyclobes.com

dherrera@caffertyclobes.com

asweatman@caffertyclobes.com

*Plaintiffs' Steering Committee Counsel for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 24, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld